

REMARKS

Claims 1, 3, 4, 6-9, 11, 12, 14-16, 18, 22-25, 27, 31, and 37-45 are pending in the present application. Claims 37-39 and 43-45 have been amended. Claims 27, 31, and 40-42 have been canceled without prejudice. No new matter has been added.

Applicant wishes to thank the examiner for indicating that claims 1, 3, 4, 7-9, 11, 12, 15, 16, 18, 22-25, and 37-39 are allowed.

Claim rejection under 35 U.S.C. §112, first paragraph (written description)

Claims 27, 31, and 40-45 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking adequate written description.

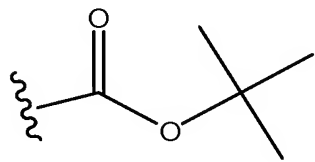
Claims 27, 31, and 40-42 have been canceled without prejudice to their presentation in a continuing patent application, rendering the rejection of them moot.

In order to advance prosecution, claims 43-45 have been amended to even more clearly describe Applicant's inventions. These claims have been amended to recite that the claimed methods are directed to "[a] method of treating a disease..." As noted by the examiner at page 3 of the Action, the specification provides adequate support to establish that the inventors were in possession of this subject matter at the time of filing. Withdrawal of the rejection is requested.

Claim rejection under 35 U.S.C. §112, second paragraph

Claims 6, 14, 27, 31, and 40-45 stand rejected under 35 U.S.C. §112, second paragraph for alleged indefiniteness. Applicant traverses this rejection.

For claims 6 and 14, the Examiner questions whether Applicant intended to insert "tert-butoxycarbonyl" into claims 1 and 9. It is noted that claims 1 and 9 claim, *inter alia*, a compound where R₁ is, *inter alia*, a protective group, and the protective group can be



, which is tert-butoxycarbonyl. Thus, claims 1 and 9 do include tert-butoxycarbonyl. The examiner suggests that claims 6 and 14 should be canceled, but they

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properly depend from claims 1 and 9, respectively, and further limit the claims from which they depend. Withdrawal of this rejection is requested.

Claims 43-45, as noted above, have been amended to recite methods of treating a disease. In addition, claims 43-45 have also been amended to correct a typographical error and recite alternative Markush terminology. Withdrawal of this rejection is requested.

Examiner's comments/notes

Claims 37-39 have been amended as suggested by the examiner. These amendments are presented for clarity purposes only and do not modify the scope of the claims.

Conclusion

Claims 1, 3, 4, 6-9, 11, 12, 14-16, 18, 22-25, 37-39, and 43-45 are in condition for allowance. An early Notice of Allowance is requested.

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